

AMENDMENTS TO THE DRAWINGS:

The attached replacement drawing sheet includes changes to FIGS. 26A-E discussed further below.

REMARKS

In the Office Action¹, the Examiner took the following actions:

required affirmation of the oral election in response to a
Restriction Requirement;

rejected claims 7 and 8 under 35 U.S.C. § 101;

rejected² claims 3, 4, 6, 8, 10 and 35 under 35 U.S.C. § 112,
second paragraph;

suggested amendments to claims 1, 9, and 34;

allowed claims 1, 2, 5, 9, and 34; and

indicated claims 3 and 4 are drawn to allowable subject
matter and would be allowable if the 35 U.S.C. § 112,
second paragraph, issues are cured.

Applicant affirms the oral election of claims 1-10, 34, and 35 made on
February 23, 2007. Claims 11-33 and 36-38 stand withdrawn, and claims 1-10, 34, and
35 remain under examination.

Applicant thanks the Examiner for the indication of allowed claims and allowable
subject matter, but respectfully traverses the rejections for the reasons set forth below.
By this amendment, Applicant has submitted a replacement sheet including
amendments to FIGS. 26A-E and has amended claims 1, 3-10, 34, and 35.

I. Applicant's Amendments to the Drawings

Applicant attaches a replacement sheet for FIGS. 26A-E. Specifically, Applicant
has amended FIG. 26A by adding pattern edges associated with pattern edge point

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

² The Examiner only indicates that claims 6, 8, 10 and 35 are rejected under 35 U.S.C. § 112, second paragraph, in the preamble to the rejection. The Examiner also indicates at page 5 of the Office Action that claims 3 and 4 are similarly rejected.

EP4, as discussed in step S33 in FIG. 24 and depicted in FIG. 25D. In addition, FIG. 26B is amended to include fourteen Voronoi edges on six patterns (PT18, PT20, PT22, PT24, PT26, and PT28 illustrated in FIG. 25A). FIGS. 26C-E are amended in a manner consistent with the changes to FIG. 26A. Specifically, FIGS. 26C-E are amended such that edge points EP6 (discussed in step S42 in FIG. 24) and the boundaries between RG6 and RG8 (as discussed in steps S43-S45 in FIG. 24) are illustrated. FIG. 26D is also amended such that the resulting regions illustrated therein are consistent with the amendments to FIGS. 26B and 26C. Additional support for the amendments to FIGS. 26A-E can be found in Applicant's specification at, for example, pages 25, lines 3-7, and page 25, line 19 through page 26, line 4. No new matter is added. Accordingly, Applicant requests that the Examiner approve the amended drawings and enter the attached replacement sheet.

II. Applicant's Amendments to the Claims

Applicant has amended claims 1, 3-10, 34, and 35, in a manner consistent with the Examiner's comments at page 5 of the Office Action, in part to recite an "approximated polygon."

III. Rejection of Claims 7 and 8 Under 35 U.S.C. §101

Applicant respectfully traverses the rejection of claims 7 and 8 under 35 U.S.C. § 101 as directed to non-statutory subject matter. Nevertheless, Applicant has also amended claims 7 and 8 in line with the Examiner's suggestion to recite "[a] computer readable medium to store a program" Accordingly, claims 7 and 8 are statutory subject matter, and should be allowable. Applicant therefore requests that the Examiner reconsider and withdraw the rejection of claims 7 and 8.

IV. Rejection of claims 3, 4, 6, 8, 10 and 35 under 35 U.S.C. § 112, second paragraph

Applicants respectfully traverse the rejection of claims 3, 4, 6, 8, 10 and 35 under 35 U.S.C. § 112, second paragraph. Nevertheless, in order to advance prosecution, Applicant has amended claim 6 to even more clearly define the claimed subject matter. Specifically, Applicant has amended claim 6 to recite "applying a lattice animal onto the lattice based on the weight coefficient, thereby to form an approximated polygon which is constituted by an outer circumference of the applied lattice animal." Applicant has amended claims 3, 8, 10, and 35 in a similar manner as claim 6. In light of the above, claims 3 (and claim 4 that depends from claim 3), 6, 8, 10, and 35 should be allowable. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 3, 4, 6, 8, 10 and 35 under 35 U.S.C. § 112, second paragraph.

V. Conclusion

In light of the above, claims 1-10, 34, and 35 are in condition for allowance. Accordingly, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

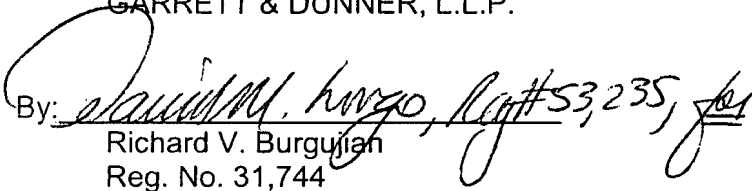
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 1, 2007

By:


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Attachment: Replacement Sheet (one sheet including FIGS. 26A-E)